



Linda S. Adams
Secretary for
Environmental Protection

Air Resources Board

Mary D. Nichols, Chairman
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Arnold Schwarzenegger
Governor

TO: All Public Agencies and Utilities

DATE: December 19, 2007

SUBJECT: Vehicles Subject to the Fleet Rule for Public Agencies and Utilities

Pursuant to title 13, California Code of Regulations (CCR), sections 2020, 2022 and 2022.1, the Fleet Rule for Public Agencies and Utilities (PAUs) requires a municipality or utility that owns, leases, or operates an on-road diesel-fueled heavy-duty vehicle greater than 14,000 pounds gross vehicle weight rating (GVWR) with a 1960 to 2006 model-year medium or heavy heavy-duty engine to: 1) apply best available control technology (BACT), 2) label all vehicles and 3) maintain records for all vehicles.

General Criteria

On-road diesel-fueled heavy-duty vehicles greater than 14,000 pounds GVWR with a 1960 to 2006 model-year medium or heavy heavy-duty engine and that are owned, leased or operated by a municipality or utility are subject to the Fleet Rule for PAUs. Alternative fuel vehicles that meet BACT requirements, as described below, are also included.

Rental Vehicles

Rental vehicles "operated" by a municipality or utility for at least one year are subject to the Fleet Rule for PAUs. The Air Resources Board (ARB) defines the term "operate," as to manage or use an on-road diesel-fueled heavy-duty vehicle.

Light Heavy-Duty Vehicles

The intention of the Fleet Rule for PAUs was to include all heavy-duty engines greater than 14,000 pounds GVWR. However, at the time of adoption of the regulation, its applicability was inadvertently limited to, "medium and heavy heavy-duty engines," and the light heavy-duty engines were excluded. However, ARB will allow a municipality or utility to opt to include its light heavy-duty engines as part of the total fleet. Any light heavy-duty vehicles included in the Fleet Rule for PAUs must meet all applicable requirements of the rule, including that they must have vehicle labels and records maintained. If a municipality or utility intends to include its light heavy-duty vehicles as part of the total fleet it must send a letter to ARB by February 29, 2008, that identifies: Vehicle Identification Number, Engine Manufacturer, Engine Model Year, and Engine Family and Series of each light heavy-duty vehicle. Otherwise the light heavy-duty engines will be subject to the On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

Please address letter to:

Chief, Heavy Duty Diesel In-Use Strategies Branch
P.O. Box 2815
Sacramento, CA 95812

Transfer Trucks

Transfer trucks, owned, leased or operated by a municipality, not subject to the Fleet Rule for Solid Waste Vehicles, are subject to the Fleet Rule for PAUs.

Shuttle Buses

Shuttle buses, owned, leased or operated by a municipality, not subject to the Fleet Rule for Transit Agencies, such as an airport, college or university that pick up only their clients are subject to the Fleet Rule for PAUs. However, if a municipality picks up the general public for a fee it may be subject to the Fleet Rule for Transit Agencies.

School District Vehicles

School district vehicles, not considered school buses as defined by the California Vehicle Code (CVC) section 545, are subject to the Fleet Rule for PAUs.

Emergency Vehicles

Emergency vehicles as defined by CVC, section 27156.2, are exempt from the Fleet Rule for PAUs. Thus, a municipality or utility with emergency vehicles do not need to meet the BACT, labels or record keeping requirement for these vehicles. Emergency vehicles include vehicles operated by a peace officer, vehicles defined in CVC, section 165, and used for fighting fires or responding to emergency fire calls, and vehicles used by an emergency medical technician-paramedic as defined in section 1797.84 of the Health & Safety Code. However, a fire engine that is used only for training purposes and not used for fighting fires or responding to emergency fire calls is subject to the Fleet Rule for PAUs.

Dedicated Snow-Removal Vehicles

Dedicated snow-removal vehicles are not subject to the Fleet Rule for PAUs, but record keeping is required. However, vehicle labels are recommended for enforcement purposes. Dump trucks used to remove snow are not considered dedicated snow-removal vehicles.

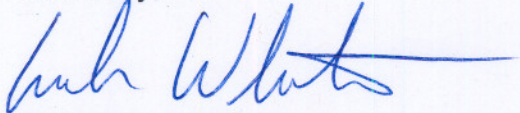
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2004-2006 Alternative Fuel Vehicles

2004-2006 alternative fuel vehicles with engines certified to less than 1.8 grams of NOx per brakehorse power-hour are subject to the Fleet Rule for PAUs and satisfy the BACT requirement. On the other hand, 2004-2006 alternative fuel vehicles with engines certified to greater than 1.8 grams of NOx per brakehorse power-hour do not meet BACT and are not subject to the Fleet Rule for PAUs. However, vehicle labels and record keeping are recommended for enforcement purposes.

To learn more about the Fleet Rule for PAUs, go to <http://www.arb.ca.gov/msprog/publicfleets/publicfleets.htm>. If you have further questions, contact information for staff is available at <http://www.arb.ca.gov/msprog/publicfleets/contact.htm>.

Sincerely,

A handwritten signature in blue ink, appearing to read "Erik White", with a long horizontal flourish extending to the right.

Erik White, Chief
Heavy-Duty Diesel In-Use Strategies Branch

cc: Ms. Kathleen Mead, Manager
Retrofit Implementation Section

Mr. Boons Baythavong
Air Pollution Specialist
Retrofit Implementation Section

Ms. Dassi Pintar
Air Pollution Specialist
Retrofit Implementation Section